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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,733	04/04/2001	Gerard Pallipuram	PALM-3599.US.P	6062

7590 04/08/2005	EXAMINER
WAGNER, MURABITO & HAO LLP	PWU, JEFFREY C

Two North Market Street, Third Floor	ART UNIT	PAPER NUMBER
San Jose, CA 95113	2143	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Craig (U.S. 6,654,785) in view of Carim et al. (U.S. 6,636,873).

Regarding claim 1, Craig teaches a communication system comprising:

a server device comprising client software, said client software comprising

instructions for performing a synchronization compliant with said server [Craig -Figure 3

Col. 9 lines 10-15 and lines 46-51 and Col. 10 lines 13-19 - Server stores applets, i.e.

client software, which allow synchronization between the various students, i.e. clients,

with the instructor]; and

a first client device for performing data processing functions, said first client

device for establishing a communication link with said server [Craig -- Figures 1, 3 and

4, Col. 9 lines 10-12 and Col. 14 lines 35-43 - First client establishes a session

connection with a socket on a server, i.e. establishes a communication link], for

receiving a copy of said client software from said server in response to said

communication link being established [Craig -- Col. 8 lines 46-51, Col. 9 lines 10-15 and

Col. 13 lines 44-47 - Student, i.e. client, receives copy of client software, i.e. applet from

a web server once a communication link with the server has been established], and for

using said client software to perform a synchronization with said server to obtain a

portion of said information [Craig -- Cal. 7 lines 52-55, Col. 8 lines 17-20, Col. 9 lines

58-67 - Col. 10 lines 1-2 and lines 32-39 - Applets are used to perform information

synchronizations between students and instructors].

Craig fails to explicitly teach a database containing information.

Carini, however, discloses a computer system for synchronizing devices with a

remote enterprise database [Carini -- Col. 5 lines 4-7 and lines 61-66]. Both Craig and

Carini teach systems for synchronizing various computers with information from other

computers. Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to incorporate the remote enterprise database, as

taught by Carini into the invention of Craig, in order to provide a well-known data

structure for holding and storing data for users and for the synchronization process.

Regarding claim 2, Craig-Carim teach the invention substantially as claimed, as

aforementioned in claim 1 above, including wherein said first client device erases said

client software after said synchronization is performed [Craig -- Col. 12 lines 35-40, Col.

13 lines 2-5 and Col. 14 lines 42-43 - Upon termination from lecture server, student

applet is first stopped by the stop 0 function and then erased from memory by running

the destroy Q function, thus removing all client software associated with lecture once

student disconnects, i.e. browses to a different website, closes browser, etc., from

lecture, i.e. web, server].

Regarding claim 3, Craig-Carini teach the invention substantially as claimed, as

aforementioned in claim 2 above, including wherein said first client device comprises a

display screen and wherein said first client device is also for displaying said portion of said information on said display screen [Craig -- Figure 1, Col. 7 lines 2-40 and lines 62-67 and Col. 8 lines 46-51 -Client devices include computers having a display device, i.e. monitor, which displays browser, i.e. GUI, and data received by the browser on the screen for users to view lecture slides].

Regarding claim 4, Craig-Carini teach the invention substantially as claimed, as aforementioned in claim 3 above, including wherein said first client device erases, i.e. removes, said portion of said information [Craig -- Col. 12 lines 35-40, Col. 13 lines 2-5 and Col- 14 lines 42-43 - Upon termination from lecture server, student applet is first stopped by the stop Q function and then erased from memory by running the destroy U function, thus removing all client software associated with lecture once student disconnects, i.e. browses to a different website, closes browser, etc., from lecture server. Once browser is closed or new site is navigated to and applet is removed, so too is the information, i.e. slides].

Regarding claim 5, Craig-Carini teach the invention substantially as claimed, as aforementioned in claim 1 above, including wherein said synchronization comprises a query command [Craig -- Col. 11 line 67 - Col. 12 lines 1-11 - Once connection is established with lecture server, query command is attempted instructing the applet to synchronize lecture with the current slide].

Regarding claim 6, Craig-Carini teach the invention substantially as claimed, as aforementioned in claim 1 above, including further comprising a second client device for performing data processing functions, said second client device for establishing a

communication link with said server [Craig -- Figures 1, 3 and 4, Col. 9 lines 10-12, Col.

9 lines 65-67 - Col. 10 lines 1-2 and Col. 14 lines 35-43 - Second client, i.e. out of many

client machines in a multi-student lecture, establishes a session connection with a

socket on a server, i.e. establishes a communication link], for receiving a copy of said

client software from said server in response to said communication link being

established between said second client device [Craig -- Col. 8 lines 46-51, Col. 9 lines

10-15 and Col. 13 lines 44-47 - Student, i.e. client, receives copy of client software, i.e.

applet from a web server once a communication link with the server has been

established], and for using said client software to perform a synchronization with said

server to obtain a portion of said information [Craig -- Col. 7 lines 52-55, Col. 8 lines 17-

20, Col. 9 lines 58-67 - Col. 10 lines 1-2 and lines 32-39 - Applets are used to perform

information synchronizations between students and instructors].

Regarding claims 7 and 8, these are system claims similar in limitation to the

system claimed in claims 2 and 3 above. Therefore, claims 7 and 8 are rejected under

the same rationale.

Regarding claim 9, Craig-Carini teach the invention substantially as claimed, as

aforementioned in claim 1 above, wherein said first client device is a portable computer

system [Craig -- Figure 1 and Col. 7 lines 6-8 - Portable computer systems include

laptops which are shown in Figure 1] and wherein said server is a web server [Craig -

Figure 1, Col. 7 lines 41-55 and Col. 9 lines 39-41 -- System is implemented using a

web server].

Regarding claim 10, Craig teaches the invention substantially as claimed, including a

web server [Craig -- Figure 1, Col. 7 lines 41-55 and Col. 9 lines 39-41 System is

implemented using a web server), but fails to teach wherein said first client device is a

wireless telephone device. Carim, however, discloses a computer system for

synchronizing devices wherein the devices are web-enabled phones, i.e. wireless

telephones, and personal digital assistants (PDA's) [Carini - Figure 4, Col. 3 lines 8-11

and lines 24-30 and Col. 5 lines 9-16). Both Craig and Carini teach systems for

synchronizing various computers with information from other computers. Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was

made to incorporate the various mobile devices, including web-enabled phones, i.e.

wireless telephones, and PDA's, as taught by Carini into the invention of Craig, in order

to allow potentially geographically disseminated and disconnected users to synchronize

the data stored on their mobile devices [Carini -- Col. 2 lines 58-62].

Regarding claims 11-20, these are method claims corresponding to the system

claimed in claims 1-10 above. They have similar limitations; therefore, claims 11-20 are

rejected under the same rationale.

Regarding claim 21, Craig teaches a communication system comprising a

plurality of client devices and a server, a method of communicating comprising the steps

of-.

a) a server device comprising client software, said client software comprising

instructions for performing a synchronization compliant with said server [Craig -Figures

1 and 3, Col. 9 lines 10-15 and lines 46-51 and Col. 10 lines 13-19 – Server stores

applets, i.e. client software, which allow synchronization between the various

students, i.e. clients, with the instructor];

b) a portable computer system establishing a communication link with said server [Craig

-- Figures 1; 3 and 4, Col. 7 lines 6-8, Col. 9 lines 10-12 and Col. 14 lines 35-43 - First

client on a portable computer system, i.e. laptop, establishes a session connection with

a socket on a server, i.e. establishes a communication link];

c) said portable computer system receiving a copy of said client sofvare

from said server in response to said communication link being established [Craig -- Col.

8 lines 46-51, Col. 9 lines 10-15 and Col. 13 lines 44-47 - Student, i.e. client, receives

copy of client software, i.e. applet from a web server once a communication link with the

server has been established];

d) said portable computer system using said client software to perform a

synchronization with said server to obtain a first portion of said information [Craig -

Col. 7 lines 52-55, Col. 8 lines 17-20, Col. 9 lines 58-67 - Col. 10 lines 1-2 and lines

32-39 - Applets are used to perform information synchronizations between students

and instructors]; and

e) said portable computer system erasing said client software after said portable

computer system uses said client software to perform a synchronization with said server

[Craig -- Col. 12 lines 35-40, Col. 13 lines 2-5 and Col. 14 lines 42-43 - Upon

termination from lecture server, student applet is first stopped by the stop function and

then erased from memory by running the destroy 0 function, thus removing all client

software associated with lecture once student disconnects, i.e. browses to a different website, closes browser, etc., from lecture server]. Craig fails to explicitly teach a database containing information.

Carini, however, discloses a computer system for synchronizing devices with a remote enterprise database [Carini -- Col. 5 lines 4-7 and lines 61-661.

Both Craig and Carini teach systems for synchronizing various computers with information from other computers.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the remote enterprise database, as taught by Carini into the invention of Craig, in order to provide a well-known data structure for holding and storing data for users and for the synchronization process.

Regarding claim 22, Craig teaches the invention substantially as claimed including the steps of:

f) a device establishing a communication link with said server [Craig -- Figures 1, 3 and 4, Col. 9 lines 10-12 and Col. 14 lines 35-43 - First client establishes a session connection with a socket on a server, i.e. establishes a communication link[;. g) said device receiving a copy of said client software from said server in response to said communication link being established [Craig -- Col. 8 lines 46-51, Col. 9 lines 10-15 and Col. 13 lines 44-47 - Student, i.e. client, receives copy of client software, i.e. applet from a web server once a communication link with the server has been established].

h) said device using said client software to perform a synchronization with said server to obtain a second portion of said information [Craig -- Col. 7 lines 52-55,

Col. 8 lines 17-20, Col. 9 lines 58-67 - Col. 10 lines 1-2 and lines 32-39 - Applets are

used to perform information synchronizations between students and instructors, i.e.

to synchronize lecture slides and other information]; and

i) said device erasing said client software after said device uses said client

software to perform a synchronization with said server [Craig -- Col. 12 lines 35-40,

Col. 13 lines 2-5 and Col. 14 lines 42-43 - Upon termination from lecture server,

student applet is first stopped by the stop 0 function and then erased from memory

by running the destroy 0 function, thus removing all client software associated with

lecture once student disconnects, i.e. browses to a different website, closes browser,

etc., from lecture server].

Craig fails to explicitly teach wherein the device is a wireless phone.

Carim, however, discloses a computer system for synchronizing devices wherein the

devices are web-enabled phones, i.e. wireless telephones, and personal digital

assistants (FDA's) [Carini -- Figure 4, Col. 3 lines 8-11 and lines 24-30 and Col. 5 lines

9-161.

Both Craig and Carini teach systems for synchronizing various computers with

information from other computers.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the various mobile devices, including web-

enabled phones, i.e. wireless telephones, and PDA's, as taught by Carini into the

invention of Craig, in order to allow potentially geographically disseminated and

disconnected users to synchronize the data stored on their mobile devices [Carini -- Col.

2 lines 58-62].

Regarding claim 23, Craig-Carini teach the invention substantially as claimed, as

aforementioned in claim 21 above, including wherein said server is a web server [Craig

- - Figure 1, Col. 7 lines 41-55 and Col. 9 lines 39-41 - System is implemented using a

web server].

Regarding claim 24, Craig-Carim teach the invention substantially as claimed, as

aforementioned in claim 21 above, including wherein said server is an enterprise server

[Carini -- Figure 4 and Col. 5 lines 4-16 and lines 61-66 - Enterprise database would

obviously reside on an enterprise server].

Regarding claim 25, Craig-Carini teach the invention substantially as claimed, as

aforementioned in claim 21 above, including wherein said portable computer system is

a laptop [Craig -- Figure 1 and Col. 7 lines 6-8 - Portable computer systems include

laptops which are shown in Figure 1].

Regarding claim 26, Craig-Canni teach the invention substantially as claimed, as

aforementioned in claim 21 above, including wherein said portable computer system is

a hand-held personal digital assistant (PDA) Carini - Figure 4, Col. 3 lines 8-11 and

lines 24-30 and Col. 5 lines 9-16 - Mobile devices include PDA's].

Response to Arguments

3.   Applicant's arguments filed 11/1/2004 have been fully considered but they are

not persuasive.

In response to applicant's argument that Craig and Carini are both nonanalogous

art, it has been held that a prior art reference must either be in the field of applicant's

endeavor or, if not, then be reasonably pertinent to the particular problem with which the

applicant was concerned, in order to be relied upon as a basis for rejection of the

claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir.

1992). In this case, both Craig and Carini teach systems for synchronizing various

computers with information from other computers and "for receiving a copy of said client

software from said server in response to said communication link being established and

for using said client software to perform a synchronization with said server to obtain a

portion of said information". (see abstract-Craig; "Summary of The Invention"-Carini)

In response to applicant's argument that there is no suggestion to combine the

references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, applicant's

claimed subject matter, in claim 1, for example, only calls for "a server device

comprising client software, said client software comprising instructions for performing a

synchronization compliant with said server; a first client device for performing data

processing functions, said first client device for establishing a communication link with

said server; for receiving a copy of said client software from said server in response to

said communication link being established and for using said client software to perform

a synchronization with said server to obtain a portion of said information.

Both Craig and Carini teach systems for synchronizing various computers with

information from other computers. Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to incorporate the remote

enterprise database, as taught by Carini into the invention of Craig, in order to provide a

well-known data structure for holding and storing data for users and for the

synchronization process.

In response to applicant's argument that the references fail to show certain

features of applicant's invention in both claims 1 and 21, "Craig is silent as to reflecting

any data changes form client ("student ") computers to "instructor" or "slide server"

computers", it is noted that the features upon which applicant relies (i.e., "data changes

from client ("student") computers to "instructor" or "slide server" computers") are not

recited in the rejected claim(s). Although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re

Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant argues that Craig in view of Carini, with regard to Claims 3 and 8, do

not teach, disclose or suggest the claim limitation of "displaying said portion of said

information on said display screen". Examiner respectfully disagrees. Firstly, displaying

of a portion of information on any display screen ("handheld device display", "laptop",

"pc", and "palmtop") is notoriously well known in the art as applicant pointed out in

his/her own admitted prior art, a 3-way synchronization system, a n-way synchronization

system. (pages 2-4 of applicant's specification and figs.1-4). Secondly, Both Craig and

Carini disclose the claimed features – Craig - Figure 1, Col. 7 lines 2-40 and lines 62-67

and Col. 8 lines 46-51 -Client devices include computers having a display device, i.e.

monitor, which displays browser, i.e. GUI, and data received by the browser on the

screen for users to view lecture slides and Carini (406, 414, 408, 418).

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jeffrey C Pwu whose telephone number is 571-272-

6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley can be reached on 571-272-6798. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

April 1, 2005

JEFFREY PWU
PRIMARY EXAMINER